

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

BERNETHIA JOHNSON,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 2:07-CV-0059-ID
)	
MICHAEL ASTRUE ¹ ,)	
COMMISSIONER OF SOCIAL SECURITY,)	
et al.,)	
)	
Defendants.)	

MOTION FOR EXTENSION OF TIME

COME NOW Defendants, by and through Leura G. Canary, United States Attorney for the Middle District of Alabama, and pursuant to Rules 6(b) and 12 of the Federal Rules of Civil Procedure and move the Court for a thirty (30) day extension of time, to and including April 25, 2007, within which to file an answer or other response in the above-styled case. In support of this motion, counsel shows unto the Court the following:

1. An answer or other response is currently due on or before March 26, 2007.
2. As of this date, the undersigned has not received the litigation report from the Social Security Administration. The agency's litigation report is essential in the compilation of the answer or other response.
3. It is anticipated the litigation report will be received in the office within the next two (2) weeks. However, the undersigned will be on family medical leave March 26 - April 6, 2007, for

¹ Michael J. Astrue became the Commissioner of Social Security on February 12, 2007. Pursuant to Rule 25(d)(1) of the Federal Rules of Civil Procedure, Michael J. Astrue should therefore, be substituted for Commissioner JoAnne B. Barnhart as the defendant in this suit.

the birth of his first child.

4. Counsel for Plaintiff has been contacted and has no objection to this extension.

WHEREFORE, Defendants request a thirty (30) day extension of time, to and including, April 25, 2007, within which to file an answer or other response in this matter.

Respectfully submitted this the 19th day of March, 2007.

LEURA G. CANARY
United States Attorney

By: s/James J. DuBois
JAMES J. DUBOIS
Assistant United States Attorney
GA Bar Number: 231445
Post Office Box 197
Montgomery, AL 36101-0197
Telephone No.: (334) 223-7280
Facsimile No.: (334) 223-7418
E-mail: James.DuBois2@usdoj.gov

CERTIFICATE OF SERVICE

I hereby certify that on March 19, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to Plaintiff's attorney, Juraldine Battle-Hodge.

s/James J. DuBois
Assistant United States Attorney